IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 12960 of 2004

Between:

M/s.International Graphics, a proprietary concern, at Flat No.610,
6th Floor, Amrutha Estates, Himayathnagar, Hyderabad.

Rep. by its Proprietor M.Raghava Rao, S/o.M.Venkateswarlu,

Aged 51 years, R/o.Apple House, H.No.1-9-1122/1/1,

Vidyanagar, Hyderabad.

..... PETITIONER

AND

1 Bank of Baroda, Rep. by its Managing Director,
Head Office at Mandvi, Baroda, Gujarat State.
2 Bank of Baroda, Rep. by its Assistant General Manager,
Regional Office, 2nd Floor, Hyderguda, Hyderabad.
3 Bank of Baroda, Rep. by its Chief Manager,
Hyderabad Main Branch, Abids, Hyderabad.
4 Bank of Baroda, Rep. by its Branch Manager,
Specialised Asset Recovery Management Branch, A-13,
Meridian Apartments, H.No.5-9-24/78, Lake Hill Road,

Adarshnagar, Hyderabad.
5 Debts Recovery Tribunal, Rep. by its Registrar,
5th Floor, Palace Heights Building, Abids, Hyderabad.
6 Debts Recovery Appellate Tribunal, Chennai,
Rep. by its Registrar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate Writ, order or direction, preferably a writ in the nature of Writ of Certiorari, calling for the records relating to notice of demand dt. 16-7-2004 made in R.P.No. 230/2002 in O.A.No.1746 of 1999 on the file of the Debts Recovery Tribunal, Hyderabad, issued by the 4th respondent Bank, and to quash the same as being illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently stay all further proceedings pursuant to the said demand notice.

Counsel for the Petitioner: MR. P.VENUGOPAL

Counsel for Respondents 1 to 4: MRS.P.BALARANI, STANDING COUNSEL FOR BANK OF BARODA

The Court, at the admission stage, made the following ORDER:

(Per Hon'ble B.Sudershan Reddy, J)

This writ petition is directed against the notice of demand dated 16-07-2004 issued to the petitioner-judgment debtor by the Debts Recovery Tribunal at Hyderabad.

There is no dispute whatsoever that the order passed by the Debts Recovery Tribunal, Hyderabad, determining the liability of the petitioner has attained its finality. The notice issued by the Debts Recovery Tribunal, Hyderabad, *per se* is not vitiated and does not suffer from any jurisdictional errors or legal infirmities. Whatever remedies that may be available to the petitioner in law may be availed. Suffice it to hold that it is not a fit case for interference of this Court in exercise of its jurisdiction under Article 226 of the Constitution of India.

The writ petition fails and shall accordingly stand dismissed.

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(B.SUDERSHAN REDDY, J)

Dated: 2nd August, 2004.

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(K.C.BHANU, J)

Grr/Ak*

To

1.The Registrar, Debts Recovery Tribunal, 5th Floor,

Palace Heights Building, Abids, Hyderabad.
2.The Registrar, Debts Recovery Appellate Tribunal, Chennai.

3.Two CD copies.